

Application Serial No. 09/901,120  
Amendment dated October 18, 2004 (Monday)  
Reply to final Office action of May 17, 2004

#### REMARKS

Claims 84 through 91 are pending in this application. Claim 84 is amended herein. Support for the amendment to claim 84 may be found in the claims as filed originally as well as in Fig. 8 and at page 9, lines 9 through 20 and page 12, lines 20 through 30 of the specification. This amendment is believed to place the application in condition for allowance, and entry is therefore requested respectfully. Reconsideration of this application in view of the foregoing amendments and the following remarks is respectfully requested.

#### Claim Rejections - 35 U.S.C. § 102:

Claims 84 through 91 were rejected under 35 U.S.C. § 102(b) as anticipated by Anderson et al., US 6,168,948. The rejection is traversed to the extent it might apply to the claims as amended.

Claim 84 recites:

"wherein ultrasound from said ultrasound transducer is applied to a sample in said reaction chamber during a fixation process."

Anderson neither teaches, discloses, nor suggests a system for fixation of a sample in which ultrasound from an ultrasound transducer is applied to a sample in a reaction chamber during a fixation process, as recited in claim 84. Anderson, in fact, shows no fixation process at all, with or without ultrasound. Claim 84 is submitted to be allowable. Withdrawal of the rejection of claim 84 is earnestly solicited.

Claims 85 through 91 depend from claim 84 and add further distinguishing elements. Claims 85 through 91 are also submitted to be allowable. Withdrawal of the rejection of claims 85 through 91 is earnestly solicited.


#### Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 84 through 91 are allowable over the cited references. Allowance of all claims 84 through 91 and of this entire application are therefore respectfully requested.

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Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Thomas E. McKiernan", is written over a horizontal line.

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